

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16CV324-MOC
(3:01CR151-MOC-DCK-1)

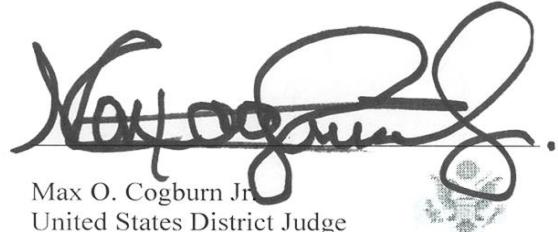
ERIC BERNARD LOWERY,)
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Petitioner,)
)
)
vs.) **ORDER**
)
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UNITED STATES OF AMERICA,)
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Respondent.)
)

THIS MATTER is before the court on Petitioner's Motion, filed through counsel, to Continue Holding Petitioner's Motion under 28 U.S.C. § 2255 in Abeyance. (Doc. No. 9). The Government consents to the abeyance request. Having considered Petitioner's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that Petitioner's Motion to Continue Holding Petitioner's Motion under 28 U.S.C. § 2255 in Abeyance, (Doc. No. 9) is **GRANTED**, and this matter is HELD in abeyance pending the Fourth Circuit's decision on a motion for rehearing and rehearing en banc in United States v. Brown, No. 16-7056. After issuance of the mandate in Brown, Petitioner shall have 14 days to file a Reply.

Signed: October 16, 2017


Max O. Cogburn Jr.
United States District Judge

